JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
IN ITS GENERAL AND INHERENT JURISDICTION
INDIAN ADOPTION PETITION NO.6 OF 2003

Mr. Malcolm D. Correa & Anr. ...Petitioners

Mr. Rakesh Kapoor, *for the Petitioner.*

CORAM: G.S. PATEL, J
DATED: 13th April 2016

PC:-

1. The matter is placed for directions. The Petitioners had filed an Indian Guardianship Petition No.6 of 2003 to take in adoption a a female child, Sonali Devika Maria Correa. The Adoption Petition was allowed on 20th February 2003. The minor was born on 2nd August 1986.

2. It seems that the format of the orders in those days did not contain a specific direction to the BMC to issue a birth certificate, but only contained leave to the Petitioners to apply to the MCGM for a birth certificate.

3. There is absolutely no reason at all why the MCGM should refuse to issue a birth certificate on such an application being made.

It is not for the MCGM to insist on any particular wording of a order of the High Court. When such an application is made in the normal course under leave of the High Court, the MCGM is required to process it in accordance with law. It hardly needs to be mentioned that this kind of approach from the MCGM is wholly against the interests of the minor, and in particular her schooling and educational requirements.

4. In any event, and to leave no room for doubt, the MCGM is hereby directed to forthwith issue the necessary birth certificate of Sonali Devika Maria Correa acting on an authenticated copy of the order.

5. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)